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Daniel Borunda,

I am writing to provide comments on the Draft Supplemental Environmental Impact Statement Clean Water Act Compliance at the South Bay International Wastewater Treatment Plan. I have two concerns that I did not find explicitly addressed in the Draft SEIS.

- Given that 6.2.12 of the Draft SEIS recognizes asymmetries in the access to environmental information between the United States and Mexico, and given that the state of Baja California does not have a law guaranteeing public access to information:
 - Will information regarding the quality of effluent from the proposed Bajagua facility be made available to the American public (1) if the outfall is utilized and (2) even if the outfall is not utilized?
 - Will information regarding the quality of effluent from the proposed Bajagua facility be made available to Mexican citizens through the federal Ley de Transparencia?
- Given that 6.2.12 of the Draft SEIS recognizes asymmetries in citizen opportunities to participate in the policy process between the United States and Mexico:
 - What opportunities will Mexican citizens have to participate in the approval and oversight of the necessary permits for the construction of the Bajagua facility?

These questions address a larger concern: Will citizens in both the U.S. and Mexico have sufficient information and opportunity to monitor the quality of the services provided by Bajagua under the preferred option? I hope that these questions will be addressed in the final SEIS. If the preferred option is accepted in the final SEIS, I hope that these concerns will be incorporated in the subsequent Minute between the U.S. and Mexico.

I would add as a side note that information in 6.2.12 is outdated. The federal government of Mexico does have a general law requiring public access to federal government information. Furthermore the environmental agency is no longer SEMARNAP, but SEMARNAT.

Thank you,

Daniel Sabet